

*State of Maine*

*Comprehensive Three Year Plan  
for  
Juvenile Justice  
and  
Delinquency Prevention*

*Fiscal Years 2000 through 2002*

*2001 Update*

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## *Introduction*

Following passage of the Juvenile Justice and Delinquency Prevention Act of 1974, the Maine Department of Corrections was designated as the state agency responsible for administration of the formula grant program made available to states by the Act. Established by executive Order, codified in M.R.S.A. 34-A §1209, the Juvenile Justice Advisory Group is the State Advisory Group responsible for submission of recommendations to the governor and legislature regarding state compliance with the core requirements of the JJDP Act (for requirements, see Appendix F). The JJAG is active in development of the state plan, makes decisions for funding projects designed to implement the objectives of the plan, and reviews the progress and accomplishments of those projects.

Maine has maintained compliance with the core requirements of the Act with the exception of “jail removal” in 1997 and 1998 when a statutory change precluded use of the rural exception, which allows juveniles to be detained in adult jails or lockups (sight and sound separated from any adults held there) for up to 24 hours in non-metropolitan statistical areas.

Over the past year, the Juvenile Justice Advisory Group (JJAG) has undertaken a comprehensive strategic planning process, assisted by technical assistance from OJJDP. The group reviewed available data and engaged in a process of identification and prioritization of needs. This included discussion of the last four years’ focus on delinquency prevention, intervention for those already involved in the juvenile justice system and diverting youth from secure confinement. Although they recognize the lack of services as a continuing need, they also concluded that the problem will not be alleviated with just grant funds. While funding for some delinquency prevention and intervention projects will continue, increased effort will be focused on improvements to the environment within which those services operate and to collection and dissemination of information about what works. For the remainder of the time covered by this Plan, the JJAG will increase efforts to evaluate currently funded projects, support researched, proven-effective programs, and publicize actual juvenile crime data and trends to counter misconceptions that make more punitive laws politically attractive.

While the program areas have not changed from those in the last plan, the activities and allocation of funds have been updated to better reflect the evolving priorities of the JJAG.

This plan was approved by the JJAG on March 28, 2001, has been made widely available, and public review and comment solicited.

## ***Analysis of Juvenile Crime Problems and Juvenile Justice Needs***

### ***Description of the system***

State and municipal police and county sheriffs enforce Maine's laws. All have general law enforcement duties, with county and state police sharing responsibility for Maine's large rural areas.

21 municipal police departments have lockups, and 14 of the 16 counties have jails that might hold juveniles for varying limited periods of time. (Only 17 municipalities and 7 counties actually do.) One (Cumberland County) leases space at its facility to the Maine Department of Corrections for detention of juveniles. The Maine Department of Corrections has responsibility for all juvenile detention, and currently operates two facilities, both of which hold both detained and committed juveniles. The Maine Youth Center, in the southern part of the state (South Portland), holds up to 250 youth. The original building was constructed in 1853, and will soon be replaced with the Southern Maine Juvenile Facility with space for 166 and the programs necessary for their care, treatment and education. The Northern Maine Juvenile Facility currently holds up to 40 detained or committed youth, but will be replaced with one like that being built in South Portland, with a capacity of 140. Both new facilities are scheduled to open in October of 2001.

Juveniles accused of committing a delinquent act are referred to a Juvenile Community Corrections Officer (JCCO), who must determine whether or not detention is warranted, and if not, order conditional or unconditional release. M.R.S.A. Title 15 §3203-A, (4 C.) states "Detention, if ordered must be in the least restrictive residential setting that will serve the purposes of the Maine Juvenile Code..." If the juvenile is detained, the official who ordered detention "shall petition the Juvenile Court for a review of the detention in time for the detention hearing to take place within 24 hours following the detention..."

Subsequent to a preliminary investigation, the JCCO might decide that ongoing supervision is not required either in the interests of the public or of the juvenile, or that both will best be served by providing services voluntarily accepted by the juvenile. In that case, (s)he might not request that a petition be filed. Informal adjustment, such as restitution and/or community service might be found appropriate.

If the JCCO finds that the facts are sufficient, that JCCO "shall request the prosecuting attorney to file a petition." Juvenile cases are heard in District Courts. 32 judges hold court in 13 districts in 33 locations around the state. Judges are nominated by the Governor to serve seven-year terms and confirmed by the legislature. Maine's highest court, the Supreme Judicial Court, has general administrative and supervisory authority over the Judicial Branch. Its head, the Chief Justice, designates a Superior Court Chief Justice and District Court Chief Judge and Administrative Court Chief Judge to oversee the day-to-day administrative operations of those courts, and also appoints the State Court Administrator. Juvenile Drug Courts have been established over the last two years, currently operating in five locations with two more planned. Juveniles at high risk for further delinquent behavior, with a history of chronic substance abuse where that substance abuse has been a major factor in the delinquent behavior may be referred to that program.

Local non-profit agencies are contracted with by the MDOC to provide Juvenile Intensive Supervision Services and attendant care at locations across the state. Such services are available to juveniles referred by Juvenile Community Corrections Officers in lieu of detention, before or after adjudication, or for a period of time after detention. A day reporting program began in November 1999 in the

Lewiston/Auburn area, Maine's 2<sup>nd</sup> largest population center of about 60,000. There are also approximately a dozen fledgling community resolution teams operating throughout the State. A chart showing movement of youth through the system is attached as Appendix A.

### ***Data and Needs Analysis***

According to the US Census population projection for 1999, there are approximately 293,000 youth under the age of 18 in Maine. They make up 23.5% of the population and are 97 % white. The largest minority group is Asian/Pacific Islander, and comprising .9% of the juvenile population, or about 2500 juveniles. Racial data has not been collected in conjunction with arrest and detention data in the past, but has recently been added to the data collection form used by local lockups and county jails. That data will be available for 2000, when the census will probably find those minority populations exceed 1% of Maine's total population.

Uniform Crime Reporting data shows juvenile arrests increased approximately 20% from 9547 in 1992 to 11720 in 1998, then dropped to 10,785 in 1999. That is a decrease of 3 arrests per 1000 juveniles from 1998 to 1999. While arrests for Part II crimes accounted for most of the increase last year, the number of arrests for all crimes per 1000 juveniles has dropped in the last year for which records are available (1999). Arrests for Part I crimes have dropped to a rate of just over 12 per thousand juveniles, the lowest number of the past seven years, while arrests for Part II crimes have decreased slightly, from 25 to 24 per thousand. \* Alcohol-related arrests have almost doubled, and drug related arrests have increased from .55 to 2.3 per thousand youth (see Appendix D). It should be noted here that UCR "arrests" "...include those persons cited or summonsed...in lieu of actual physical custody." Maine Department of Corrections records show approximately 6500 preliminary investigations done each year, with 2000 to 2500 juveniles referred to juvenile community corrections for supervision. Of those, less than 10% are aftercare and 50 to 55% are on probation. Informal adjustments account for slightly less than 40%. (Community Corrections data is detailed in Appendix D.)

In 1998, the 118<sup>th</sup> Legislature passed PL 790, "An Act to Improve the Delivery of Mental Health Services to Children." That law made the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) responsible for development of a comprehensive children's mental health services system in Maine. It also established the 17 member Children's Mental Health Oversight Committee through appointment by the Maine Legislature to oversee the implementation of that plan. That committee has met regularly in public session to allow input from interested individuals.

Most services are provided through contracts with community service providers and by providers of service under the Maine Medicaid program. Because providers report on the number of children served for the specific purpose of each contract, the number served by service type is unduplicated. Many children receive more than one type of service, however, so the service types cannot be added together to yield the total number of children served.

\*Part I offenses are murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson  
Part II offenses include manslaughter by negligence, other assaults, forgery and counterfeiting, fraud, embezzlement, buy/possess/receive stolen property, vandalism, weapons-carrying, possession, etc., prostitution, drug violations, gambling violations, DUI, other offenses except traffic violations.

In the past year, the Department of Corrections and DMHMRSAS have made significant progress in the development and implementation of a plan to assure that all youth who come to the attention of the Division of Juvenile Services will be screened and evaluated for any mental health issues and linked to appropriate treatment. A PH.D. Psychologist provided by the Children's Services Division of DMHMRSAS oversees the behavioral health program at the Southern Maine Juvenile Facility and supervises two mental health program social workers serving both committed and detained youth. A mental health screening protocol has been developed and screening tools identified. Over 200 youth were screened between July of 1999 and May 2000, resulting in individualized intervention plans. The behavioral health program will be replicated at the Northern Maine Facility when construction is complete.

Mental health program coordinators in each of the four regions coordinate mental health services for youth under supervision in the community. Although they work for DMHMRSAS, they are located in the Department of Corrections Juvenile Division's Regional offices and participate in joint training to assure that employees of both Departments understand the roles and responsibilities of each other as well as the needs of the youth in the system.

Other services provided youth in the juvenile justice system through collaboration with the Department of Mental Health, Mental Retardation and Substance Abuse Services include a Substance Abuse Network and the Drug Treatment Courts. Youth accepted into the drug court (in any of seven locations around the state) are assigned a case manager by the court, and are required to participate in random urinalysis testing, regular check-ins and intensive treatment. The substance abuse network provides screening and treatment services for youth in the community as well as those in correctional facilities.

The Departments of Corrections, Mental Health, Mental Retardation and Substance Abuse Services, and Human Services are in the process of developing assessment and treatment programs specifically for youth who sexually offend. These three departments are also in the process of developing three 6-8 bed residential treatment programs for youth with both substance abuse and mental health issues. To date, these youth are not adequately served. Clinical best practice models are being utilized in the development of both of those programs.

Data collection capacity remains weak in Maine. The courts are still in the process of computerizing disposition information; the State Bureau of Identification is computerizing current information, but previously collected data is accessible only by hand search. The Department of Corrections Juvenile Division is in the process of developing a computerized system that will facilitate consistent data collection across its four regions and 2 facilities. While these changes are a step in the right direction, there is insufficient collaboration between the state-level agencies that serve Maine's youth. Information sharing, whether at the program or individual level, is still not commonly taking place.

A survey commissioned by the JJAG in 1999 polled 300 randomly chosen adult residents and held more intensive interviews with 13 opinion leaders (police chiefs, educators, and clergy) around the state. All were more aware of juvenile crime than other types of crimes, and felt that it was increasing, though some are aware of reports that it is not. Most of those contacted support graduated sanctions, but are not sure such programs exist. Insuring accountability was their major concern, but "harsher or quicker punishments for juvenile offenders receives less support than most of the other statements..."

More popular ideas were programs to strengthen families, community based programs for offenders, prevention programs in schools, and coordinated programs involving law enforcement.

Respondents to that survey noted the lack of a vehicle for collecting and disseminating information about prevention, intervention and treatment programs available to youth in or at risk of entering the juvenile justice system. Lack of a clearinghouse for juvenile justice information has emerged as a major concern in meetings and forums across the state.

Police chiefs, sheriffs and district attorneys surveyed in August and September of 1999 by the University of Maine identified juvenile issues as a major contributor to their workloads. Some police departments reported spending up to 80% of their time on youth issues, with 72% citing civil disputes (noise, parties, etc.) and 69% citing criminal mischief/vandalism as major contributors to workloads. Statewide, 39% of law enforcement time is devoted to juvenile issues. All the sheriffs agreed that juvenile issues were moderate to major contributors to their department's workload. 38% have school liaison officers, and 65% of the chiefs and 77% of the sheriffs believe that school officer and/or crime prevention programs in schools need improvement or need to be developed. 86 % of the chiefs and 91% of the sheriffs report a need for improved strategies to reduce juvenile crime. Most strategies mentioned were related to community policing, which is perceived to coordinate services and increase resources. 68% of the chiefs and 69% of the sheriffs believe that juvenile crime and violence has gotten worse in their area in the past year. (Respondents to the JJAG survey all thought that juvenile crime was a "moderate to serious" problem, but only 3 thought it was serious where they live.) Prosecutors also spend much of their time on juvenile issues, and expressed a need for day treatment programs and for pre-trial diversion.

In response to a survey of 22,000 youth in grades 6-12 done by the Office of Substance Abuse in the fall of 1998, 25% report that they use alcohol at least once a month. This, based on census projections, translates into more than 40,000 students drinking at least once a month. 18% of those responding reported binge drinking within the past 2 weeks. Juvenile arrests related to alcohol have gone from 1.72 to 3.39 per thousand between 1992 and 1998.

Surveys of 6<sup>th</sup> to 12<sup>th</sup> grade students have been done in a number of communities to measure the assets for the healthy development of youth as identified by the SEARCH institute. Most of those responding to this survey are motivated to do well in school (64%), while only 29% feel that their schools provide a caring, encouraging environment, and less than half report that parents and teachers encourage them to do well. 58% say their best friends model responsible behavior, while only 30% say the same of parents and other adults in their lives. Only about a quarter of the students think that they are given useful roles in their communities, or feel valued in those communities. 63% accept personal responsibility for their actions, but only 27% claim competence in planning ahead or making good choices. Less than half feel that they have control over things that happen to them (44%) or claim the ability to resist negative peer pressure and dangerous situations (38%). 47% seek to resolve conflict nonviolently and 59 % are not knowledgeable of or comfortable with people of different cultural or racial backgrounds.

Existing services are not generally evaluated for desired outcomes; services provided are not necessarily consistent with best practices. Although a growing number of programs have been scientifically evaluated and shown to effect lasting change in the lives of youth and their families, that information appears to be overlooked in many planning and funding decisions. (One (national) study of 443 evaluations of intervention projects found 30% showed "an overall counterproductive effect.")

The difficulty in collecting information for the preceding pages clearly illustrated the fact that data collection and dissemination is inadequate. Lack of reliable information available to policy makers can easily result in a disconnect between identified problems and the programs or policies adopted to solve them. For example, while research suggests that aggressive prosecution of minor offenses not only takes resources from those offenders who might benefit from more supervision, but bringing those low-risk offenders into the juvenile justice system may increase their recidivism rates, legislation is introduced (and sometimes passed) to make juvenile codes ever more punitive. Although Maine has some of the lowest crime rates in the country, that trend has appeared here as well. “Zero Tolerance” policies are being adopted in schools and communities with increasingly serious consequences for offenses that were once handled unofficially. Here and across the country, the problem of violent juvenile crime is perceived to be growing, while actual crime rates have not risen.

The JJAG believes that youth practitioners and policymakers across the state would be willing to review their practices if given access to reliable information about what really works.

# Three Year Program Plan

**Description Of Programs  
To Be Supported With Formula Grant Funds  
During The Three Year Period Of The Plan**

## Planning & Administration

a) State Program Designator - JJ/ADM

b) Title - Administration

c) Standard Program Area - 01

d) Program Problems and Priorities

The Maine Department of Corrections is designated by the governor as the sole agency responsible for supervising the State Advisory Group (JJAG) in the preparation and administration of the state plan within the meaning of the JJDP Act. Administration of the program is supported by federal funds with State general fund appropriation as match. A full time juvenile justice specialist staffs the program. Certain administrative tasks are assigned to other central office staff.

e) Program Goal

Effective, efficient administration of grant programs authorized by the JJDP Act

f) Program Objectives and Performance Indicators

**Objective 1** maintain compliance with OJJDP grant program requirements

***Performance Indicators***

- timely application for available JJDP funds
- timely submission the required periodic reports to OJJDP or their designee

**Objective 2** administration of subgrants to implement the comprehensive plan

***Performance Indicators***

- preparation of requests for proposals responsive to the approved plan that equitably serve all demographic populations and geographic areas of the state
- maintenance of grant management database
- accurate accounting through coordination with Finance Division
- responsiveness to applicants and/or subgrantees in need of technical assistance
- data collection for evaluation of subgrant performance
- maintain liaison with state and local entities with missions related to that of the JJAG.

**Objective 3** provide staff support to JJAG

***Performance Indicators***

- meetings coordinated
- meeting minutes completed, distributed and records maintained
- data collection/dissemination for JJAG consideration of identified issues

g) Summary of Activities Planned and Services Provided

Preparation of 3-year plan, annual updates and other grant related reports required by OJJDP  
Grant administration, from solicitation of proposals and coordination of review process through award, fund management and periodic data collection to closeout.

**h) Budget**

The Maine three-year Comprehensive Plan and annual updates are developed at the state level by the JJAG. Local input is provided for in a variety of ways, including public hearings, representation of local government on state level planning bodies, and task forces bringing state and local officials together to respond to specific issues. No planning funds are passed through to local units of government. Planned allocation of Planning and Administration formula grant funds and match is:

	<u>JJDP Funds</u>	<u>State Funds</u>
FY		
2000	48,000	48,000
2001	48,000	48,000
2002	48,000	48,000

**SAG Operations**

**a) State Program Designator** - JJ/SAG

**b) Title** - State Advisory Group Operations Account

**c) Standard Program Area** - 02

**d) Program Problems and Priorities**

The Juvenile Justice and Delinquency Prevention Act (JJDP Act) requires that states receiving JJDP funds maintain a State Advisory Group (SAG), with members appointed by the governor, and meeting certain membership criteria, to oversee preparation of a state JJDP plan and management of the JJDP formula grant program. Funds are provided under the Act to enable the SAG to carry out its responsibilities.

The Juvenile Justice Advisory Group (JJAG) is Maine's State Advisory Group. Its makeup and operations are codified in statute (34-A MRSA Sec. 1209). The JJAG's enabling law is modeled after the requirements stipulated in the Act.

Redefining its role and taking a more visible leadership role in the State, the JJAG has added new members, who, with previously appointed members, represent a diverse range of agencies, groups, and individuals actively involved and interested in juvenile justice issues in the State. Through training, networking and discussions, the JJAG is launching new short- and long-range initiatives which will lead to a more effective expenditure of JJDP funds and increased attention to juvenile justice issues.

**e) Program Goal**

To promote effective system level responses that further the goals of the Juvenile Justice and Delinquency Prevention Act

**f) Program Objectives and Performance Indicators**

**Objective 1** monitor state compliance with core requirements of the JJDP Act (DSO, Separation, Jail Removal, and DMC) and report annually to the governor and legislature

***Performance Indicators***

- timely publication of annual report to governor and legislature
- timely submission of annual monitoring report to OJJDP

***Objective 2*** to develop concepts that advance the mission of JJAG and to be a catalyst for the implementation of programs that address them.

***Performance Indicators***

- identify four issues in juvenile justice that need to be addressed and identify their causes
- develop/administer a grant program to focus on creative, innovative strategies that address those problems and their causes

***Objective 3*** to be an advocate with respect to juvenile justice issues

***Performance Indicators***

- develop a database of juvenile services and information regarding the effectiveness of various projects to be used for advocacy purposes
- establish the credibility of JJAG within the broader juvenile justice community, measured by the number of requests for information or advice received

***g) Summary of Activities Planned and Services Provided***

Meetings and training sessions will be scheduled to provide opportunities for JJAG members to review, study, and discuss issues related to juvenile justice in Maine.

Meetings will be planned to address juvenile justice issues with various agencies, individuals, the Legislature, and the Governor.

Criminal Justice Statistical Analysis Center will be utilized and possibly subcontracted with to collect data on requested topics and to develop training protocol and materials which will be used to provide information and training to specific target populations (e.g. legislators, judges, defense attorneys, prosecutors, juvenile community corrections officers, law enforcement officers, school personnel, regional multi-jurisdictional agencies, etc.)

***h) Budget***

The SAG allocation supports member travel and training, JJ Specialist travel out of state, and Juvenile Justice Coalition membership. The planned allocation of SAG funds is:

FY	<u>JJDP Funds</u>	<u>State/Local/Private Funds</u>
2000	\$30,000	0
2001	\$30,000	0
2002	\$30,000	0

## **Gender Equity Initiative**

(2001 Update—including in Systems Improvement)

a) **State Program Designator** - JJ/FEM

b) **Title** - Gender Equity Initiative

c) **Standard Program Area** - 13

d) **Problem Statement**

Several research projects have been funded by the JJAG over the last 3 years. As a result of the "Justice for Girls Task Force" recommendations, training has been developed and provided for personnel working with girls in the justice system. Profiles of girls in the justice system have been developed and information about treatment needs has been collected. Current practices have been examined and programs found effective in other states have been investigated for possible adoption in Maine.

e) **Program Goal**

to promote the development of gender specific services for females in the juvenile justice system in Maine

f) **Program Objectives and Performance Measures**

**Objective 1** The development of non-gender-biased assessment and early intervention services for female juvenile offenders.

***Performance measures***

- the development of assessment tools for female offenders
- the number of assessment/intervention services created

**Objective 2** the development of treatment services specifically for girls, directed toward female risk factors such as sexual abuse, poor school performance, substance abuse, pregnancy, poor self esteem.

***Performance measures***

- the number of treatment programs developed
- the number of female offenders receiving services
- the dedication of personnel to work specifically with girls

**Objective 3** increase awareness, interest and knowledge of girls for professionals coming into contact with or serving females in the juvenile justice system

***Performance measures***

- the number of training programs presented
- the number of individuals receiving training
- the evaluation results of presented training
- the number of projects reporting assessment and/or change as a result of training

**g) Summary of Activities**

Research and anecdotal data suggest that girls are referred to the justice system with fewer incidents of and less serious delinquent behavior than males. In light of this probability, it is important that assessment tools used not disadvantage female offenders because of gender. Activities, therefore, may include development of model assessment guidelines.

Recently gathered data will be analyzed for the underlying reason for detention, and identification of programming that might have intervened. Activities in this area may include diversion programs for females accused or guilty of minor offenses, and/or treatment programs specifically for female juvenile offenders.

**h) Budget**

Projects are generally funded for one year. Continuation funding is conditional on achievement of first year objectives, the availability of funds, and the documented need for outside assistance. Funds allocated to this program are:

FY	JJDP Funds	State/Local/Private Funds
2000	\$120,000	0
2001	Included within Systems Improvement	
2002	“	

**Juvenile Intervention Initiative**

(2001 Update—including in Systems Improvement)

**a) State Program Designator** - JJ/DVR

**b) Title** - Juvenile Intervention Initiative

**c) Standard Program Area** - 05, 13

**d) Problem Statement**

The state first came into compliance with Section 223(a)(14) in 1992, when a new provision of the juvenile code became effective. This section prohibits holding juveniles in adult jails and lockups, with exceptions patterned on those provided for in the Act. That statute was changed in 1997, resulting in the state’s loss of use of the “rural exception,” without which compliance could not be maintained. Another change in 1999 made the rural exception available once more, and Maine is again in compliance with de minimis exceptions.

Maine will continue to risk noncompliance with this core requirement of the Act because of an increase in demand for detention beds and for alternatives to detention. Two new juvenile detention facilities are scheduled for completion in October of 2001, promising relief for the former, but alternatives to detention must remain a JJAG priority.

**d) Program Goal** to ensure that youth are not securely detained for lack of alternatives

**Objective 1** To support a system of graduated sanctions that hold offenders accountable for delinquent acts and provide for public safety

***Performance measures***

- Percentage of juveniles involved in structured diversion programs
- Recidivism rate of juveniles involved in structured diversion programs

**Objective 2** to ensure that no juvenile is securely detained in an adult facility in excess of 24 hours

***Performance measures***

- Continued compliance with Section 223(a)(14) of the JJDP Act

***f) Planned Activities***

A wide array of activities might be undertaken to support this program, including, but not limited to day reporting, transportation assistance for counties to move juveniles from adult jails to appropriate facilities, validation and implementation of appropriate risk assessments, therapeutic foster care for those that might be detained for lack of availability of more appropriate placement, youth focused community policing, community service and/or restitution work assignments.

***g) Budget*** (See note on page 10)

FY	JJDP Funds	State/Local/Private Funds
2000	\$175,000	0
2001	Included within Systems Improvement	
2002	“	

## **Compliance Monitoring**

**a) State Program Designator** - JJ/MON

**b) Title** - Compliance Monitoring Initiative

**c) Standard Program Area** - 06, 13

**d) Program Problems and Priorities**

Section 223(a)(15) of the JJDP Act requires that the plan provide for an adequate system of monitoring jails, detention facilities, and non-secure facilities to insure that the requirements of separation, deinstitutionalization, and jail removal are met. It also requires that an annual report of the results of such monitoring be submitted to the Administrator of the Office of Juvenile Justice and Delinquency Prevention.

Legislation to keep status offenders from being securely detained and to separate juveniles from adults in adult-serving facilities went into effect in the early 70s. Maine has been in compliance with both these requirements since the passage of the Act. Compliance with Section 223(a)(14), removal of juveniles from adult-serving jails and lockups, has not been consistently maintained. Establishment of a full time monitor position has been regarded key to achieving continued compliance.

**e) Program Goal** maintain compliance with the core requirements of the JJDP Act and monitor the performance of JJAG subgrantees

***f) Program Objectives and Performance Indicators***

**Objective 1** to fulfill OJJDP reporting requirements

***Performance measures***

- development of a comprehensive compliance monitoring plan.
- timely submission of annual monitoring report
- maintain current listing of all facilities in Maine where adults and juveniles may be held securely.

**Objective 2** provide technical assistance to facilities to assist them in complying with state law and the JJDP Act

***Performance measures***

- retain full time compliance monitor position
- annual on-site inspection of all reporting municipal lockups and 10% of nonreporting lockups
- annual on-site inspection of all adult jails.
- complete and maintain Maine's compliance monitoring manual and technical assistance guide

***g. Summary of Activities Planned and Services Provided***

Updating the list of licensed juvenile residential facilities and classifying them as secure or non-secure according to the definitions in the Juvenile Justice and Delinquency Prevention Act.

Collection of data on the secure detention of juvenile offenders.

Technical assistance to adult jails and lockups and to subgrantees as needed.

On site inspections as detailed in the 2000 compliance monitoring plan

***h) Budget*** (See note on page 10)

FY	JJDP Funds	State/Local/Private Funds
2000	\$65,000	0
2001	\$65,000	0
2002	\$65,000	0

**Native American Juvenile Justice Initiative**

***a) State Program Designator*** - JJ/IPT

***b) Title*** - Native American Juvenile Justice Initiative

***c) Standard Program Area*** - 08

***d) Problem Statement***

The JJDP Act requires states to pass funds through to federally recognized native communities. The amount, based on the proportion of Native American juveniles to the total juvenile population in the state, is provided to the state administrative agency by the grantor agency. This year's pass through requirement is \$910. The JJAG recognizes

that that amount is insufficient to support any initiative, and adds to the allocation for Indian juvenile justice activities.

Native American representation on and contact with the JJAG has not been regularly maintained for the past two years. This connection is essential to program development and so will be the focus of this program for the near future.

***e) Program Goal***

TBA

***f) Program Objectives and Performance Indicators***

TBA

***g) Planned Activities***

A subcommittee of the JJAG will be convened as soon as a representative is appointed. That committee, working with representatives from Maine's four tribes, will identify needs and develop goals and objectives to address those needs. An update to this program description will be submitted when that task is completed.

***g) Budget*** (See note on page 10)

FY	JJDP Funds	State/Local/Private Funds
2000	\$15,000	TBA
2001	\$15,000	
2002	\$15,000	

## **Delinquency Prevention**

***a) State Program Designator*** - JJ/PRV

***b) Title*** - Delinquency Prevention

***c) Standard Program Areas*** - 12, 13

***d) Problem Statement:***

Maine youth are at risk for delinquent behavior, evidenced by surveys of risk and protective factors in their lives and self-reporting of risky behaviors, as well as the rate of family violence in the state, and lack of appropriate adult role models. UCR statistics show a slight decrease from 1996 to 1998, from 42 arrests per 1000 juveniles in 1996 to 39 per thousand in 1998, but there is still a 12% increase over 1992 arrests (per thousand juveniles). Females are making up a higher percentage of total arrests and the arrest rate of girls for Part II crimes has almost doubled in that time period, while the number of males arrested for those crimes has gone from 25 to 36 per thousand. More needs to be done to address the needs of at risk youth and their families -- to reduce the factors that place these youth at higher risk to develop self-destructive and criminal behaviors and to increase those factors in their lives that are widely accepted as necessary for them to grow into caring, competent adults. There is no question of the cost effectiveness of prevention. The OJJDP publication, Juvenile Offenders and Victims: 1999

National Report, estimates the cost of “one youth allowed to leave high school for a life of crime and drug abuse: at \$1.7 to 2.3 million.

The entire community has to be involved in this effort if it is to be effective. Maine currently has 57 Communities for Children, an initiative of the governor begun in January of 1997 to focus on prevention of delinquency and other youth behavior problems. Those 57 community organizations represent 225 cities, towns, and organized and unorganized territories of the 494 identified across the state.

**e) Program Goal**

to reduce delinquency and youth violence by supporting communities in providing their children, families, neighborhoods, and institutions with the knowledge, skills and opportunities necessary to foster a healthy and nurturing environment which supports the growth and development of productive and responsible citizens.

**f) Program Objectives and Performance Indicators**

**Objective** to reduce the risk factors and increase the protective factors in the lives of Maine youth

***Performance measures***

- to support identification of proven risk factors which are present in communities, and identification of protective factors which will counteract those risk factors
- support development of local comprehensive, delinquency prevention plans to strengthen these protective factors
- support implementation of local comprehensive delinquency prevention strategies which use and coordinate Federal, State, local and private resources for establishing a client centered continuum of service for at-risk children and their families

**g) Summary of Activities Planned**

Types of activities to be supported will vary, depending on the specific goals and assessment outcomes of funded communities, but is expected to include:

- |  |  |
|--|--|
| • Mentoring  | • Peer Mediation                                       |
| • Conflict Management                                      | • Family capacity Building                             |
| • Community Service Learning                               | • Intergenerational Relationship Building              |
| • Recreation   | • Cultural Awareness Building                          |
| • Anti-bullying programs                                   | • Law Related Education                                |
| • Crisis intervention for youth exposed to family violence | • Alternative education services to prevent expulsions |

Evaluation of prevention programs will also be supported, to determine effectiveness as a basis for advocating for wider implementation of prevention strategies.

**g) Budget** (See note on page 10)

FY	JJDP Funds	State/Local/Private Funds
2000	\$134,100	0
2001	\$137,000	0
2002	\$134,000	0

## **Research, Training and Evaluation Capacity**

(2001 Update—including in Systems Improvement)

- a) **State Program Designator** - JJ/RTE
- b) **Title** - Research, Training and Evaluation Capacity Building
- c) **Standard Program Area** - 13
- d) **Program Problems and Priorities**

In order to promote effective system level responses that further the goals of the Juvenile Justice and Delinquency Prevention Act, the Juvenile Justice Advisory Group must have access to current information and research capability. Evaluation of currently available projects, data regarding “best practices” identified in other jurisdictions and statistics that support the need for change are all essential elements that are not easily available. The award of a JRSA grant designed to build evaluation capacity in the state is beginning to address this problem, providing technical assistance to grant administrators and prospective applicants. A partnership between the state’s Statistical Analysis Center and the JJAG has been formed and focused attention on systematic, ongoing data collection. That does not, however, address the chronic lack of well-organized information about juvenile crime and related community issues available to policy makers and the general public. The survey commissioned by the JJAG in February of 1999 clearly showed that the more information about recidivism and other outcomes people had, the more likely they were to favor balanced, restorative justice measures over just secure detention.

Training is often fragmented and/or duplicated rather than integrated, not for lack of interest as much as for lack of information about what others are doing. The opportunity to participate often depends on one’s inclusion on the “right” mailing list. Other barriers to accessing training include lack of resources (tuition or sufficient staff to allow the time) on the part of those in need of training, and the lack of resources on the part of the trainer to accommodate all interested parties.

- e) **Program Goal**

to provide information and training to legislators, juvenile justice professionals and the general public which will benefit youth and all those involved with the juvenile justice system in Maine.

- f) **Program Objectives and Performance Indicators**

**Objective 1** collect data on services currently available to youth in Maine

***Performance Indicators***

- development of a database of services, including available evaluation data

**Objective 2** research and/or compile information on “what works” and training materials for presentation to specific target populations (legislators, school personnel, juvenile corrections or law enforcement professionals, etc.)

***Performance Indicators***

- testimony to legislature based on data, rather than anecdotal information
- development of information clearinghouse
- research papers prepared and available for selected juvenile justice issues

***Objective 3*** Support training for professionals in the juvenile justice system

***Performance Indicators***

Compile, maintain, and disseminate information regarding available training

Support subgrantees access to training and technical assistance for which they have documented need

***g) Summary of Activities Planned and Services Provided***

Subcontract with the SAC or other entity to: 1) collect data on relevant topics for legislative committee or policy makers; 2) research and/or compile data regarding what works; 3) identify and regularly disseminate information regarding available training; and 4) support attendance for training of personnel working with youth (at risk or involved in the juvenile justice system).

Meetings and training sessions will address juvenile justice issues with various agencies, individuals, the Legislature, and the Governor.

A youth summit and a 2-day multi-agency statewide conference are being planned for the fall of 2001.

***g) Budget*** (See note on page 10)

FY	JJDP Funds	State/Local/Private Funds
2000	\$120,000	
2001	Included in Systems Improvement	
2002	“	

## Systems Improvement

a) **State Program Designator** - JJ/SYS

b) **Title** –Systems Improvement

c) **Standard Program Area** - 13

d) **Program Problems and Priorities**

A number of issues require system level responses in order to further the goals of the Juvenile Justice and Delinquency Prevention Act. These issues all involve multi-agency, cross disciplinary collaboration to effect long lasting change. Parents, policy makers, practitioners who work with youth, and the general public all need access to current information and research. Information regarding “best practices” identified in other jurisdictions should be disseminated with intent to replicate those that promise to address issues associated with Maine youth. Existing programs’ outcomes should be measured and evaluated both to determine effectiveness and to collect statistics that will support the need for continued funding. The award of a JRSA grant designed to build evaluation capacity in the state has begun to address this problem, providing technical assistance to grant administrators and prospective applicants. A partnership between the state’s Statistical Analysis Center and the JJAG has been formed and focused attention on systematic, ongoing data collection. There remains, however, a chronic lack of well-organized information about juvenile crime and related community issues available to policy makers and the general public. The survey commissioned by the JJAG in February of 1999 clearly showed that the more information about recidivism and other outcomes people had, the more likely they were to favor balanced, restorative justice measures over just secure detention.

Maine continues to risk noncompliance with Section 223(a)(14) of the Act because of the demand for detention beds and for alternatives to detention. Two new juvenile detention facilities are scheduled for completion in October of 2001, promising relief for the former, but alternatives to detention must remain a JJAG priority. Again, this is a multi-agency issue, as youth in need of those alternatives have needs (including gender specific needs) that cannot be addressed by any one agency. Research shows that youth are best served when a comprehensive approach is taken, involving all the major areas of their lives—home, school and community. Planning that involves families and communities requires systems change that must be facilitated through training and technical assistance.

Training is often fragmented and/or duplicated rather than integrated, not for lack of interest as much as for lack of information about what others are doing. The opportunity to participate often depends on one’s inclusion on the “right” mailing list. Other barriers to accessing training include lack of resources (tuition or sufficient staff to allow the time) on the part of those in need of training, and the lack of resources on the part of the trainer to accommodate all interested parties.

e) **Program Goal**

- ❖ Appropriate comprehensive services for all youth who are at risk to become or who are involved in Maine’s juvenile justice system
- ❖ Legislators, juvenile justice professionals and the general public will have access to training and reliable information about effective programs which will benefit youth and all those involved with the juvenile justice system in Maine

***f) Program Objectives and Performance Indicators***

- ❖ **Objective 1** adequate services that address specific and comprehensive needs of youth who are at risk to become or who are involved in Maine's juvenile justice system and their families

***Performance Indicators***

- Supported programs will identify and address the needs of diverse ethnic/cultural population
- Supported programs will consider gender appropriate services

- Objective 2** research and/or compile information on "what works" and training materials for presentation to specific target populations (legislators, school personnel, juvenile corrections or law enforcement professionals, etc.)

***Performance Indicators***

- legislators and other policy makers will have reliable data, rather than anecdotal information, with which to make decisions
- program development will be based on researched proven effective practices
- continued compliance with Section 223(a)(14) of the JJDP Act
- recidivism rate of juveniles involved in effective, structured diversion programs
- training and technical assistance for subgrantees with documented need
- JJAG funded projects will include an evaluation component

***g) Summary of Activities Planned and Services Provided***

Subcontract with the SAC or other entity to: 1) collect data on relevant topics for legislative committees and other policy makers; 2) research and/or compile data regarding what works; 3) identify and regularly disseminate information regarding available training; and 4) support attendance for training (including gender specific issues) of personnel working with youth at risk or involved in the juvenile justice system.

Meetings, training sessions and written reports will address juvenile justice issues with various agencies, individuals, the Legislature, and the Governor.

A 2-day multi-agency statewide conference is being planned for the fall of 2001.

Other activities in this area might include cultural or gender appropriate diversion or treatment programs for accused or offenders guilty of minor offenses, day reporting, validation and implementation of appropriate risk assessments, therapeutic foster care, youth focused community policing, community resolution activities, and community service and/or restitution work assignments.

***h) Budget*** (See note on page 10)

FY	JJDP Funds	State/Local/Private Funds
2000	\$0	0
2001	412,000	0
2002	412,000	0

### ***Plan for Deinstitutionalization of Status Offenders and Non-offenders***

The Maine Juvenile Code prohibits secure detention of status offenders and non-offenders. Maine is consistently in compliance with de minimis exceptions with Section 223(a)(12)(A) of the Act. The exceptions are out of state runaways held under provisions of the Interstate Compact. Maine will notify OJJDP if circumstances arise or if resources are lost that would jeopardize the state's capability to maintain compliance with this requirement.

### ***Plan for Separation of Juveniles from Incarcerated Adults***

The Maine Juvenile Code, Title 15, §3203-A requires that juveniles detained in a jail or other secure facility used for the detention of adults be kept in a separate section that provides sight and sound separation in compliance with Maine Detention Standards. Maine has consistently been in full compliance with Section 223(a)(13) of the JJDP Act, but will notify OJJDP if circumstances arise or resources are lost that jeopardize the state's capability of maintaining that compliance.

Adjudicated offenders are not reclassified administratively and transferred to an adult correctional authority to avoid the intent of segregating adults and juveniles in correctional facilities.

### ***Plan for Removal of Juveniles from Adult Jails and Lockups***

Maine Juvenile Code, Title 15, §3205 prohibits detention or commitment of juveniles in "...jail or other secure detention facility intended or primarily used for the detention of adults..." with certain exceptions provided for in the JJDP Act. Maine is in compliance with Section 223(a)(14) of the JJDP Act with de minimis exceptions. Recent failure to comply with this section of the Act were caused by misunderstanding and a change in statute (since reversed) that made the "rural exception" unavailable. Given the extremely rural nature of this state, compliance has been dependant on the availability of that exception. Maine's recent establishment of a full time compliance monitor will insure accurate information is provided to jails and lockups, provide them with technical assistance to improve the quality of data provided to monitor this section, and prevent violations occurring due to misunderstandings. Adequate plans to maintain compliance are on file and available for review, and resources have been identified, are on file and also available for review. Maine will notify OJJDP if circumstances arise or resources are lost that jeopardize the state's capability of maintaining that compliance with Section 223(a)(14) of the JJDP Act.

### ***Plan for Reducing the Disproportionate Representation of Minority Youth Confined in Secure Facilities***

According to the U.S. Census population projection for 1999, no federally identified minority exceeds 1% of the population in Maine. To date, Maine has not been subject to this requirement, and has not collected related data. In anticipation of new census data revealing greater proportions of Asian/Pacific Islander and Hispanic youth in Maine, several steps have been taken to collect race related data with arrest and disposition data beginning in 2000. A database under construction that will collect community corrections data includes a field where that data will be required, and forms used by jails and lockups have been modified to capture that data.

## ***Plan for Compliance Monitoring***

The State of Maine has a comprehensive plan for monitoring compliance with the JJDP Act of 1974. With the addition of a Compliance Monitor to the staff, the State is able to ensure the requirements of Sections 223(12)(A), 223(13) and 223(14) of the Act (see Appendix G) are adhered to.

All facilities authorized by the State to securely detain juveniles are required to submit monthly juvenile population reports. The Compliance Monitor reviews these as they are received and any questionable data results in a phone call or a visit. All adult jails and approved local lockups will be inspected annually, where self-reported data will be verified by comparison with booking and detention logs. Inspections will consist of a desk audit of data from the previous 12 months and review of records of previous violations, and onsite facility tour and interview with appropriate staff. (Checklists used by the compliance monitor to ensure that all areas of concern are covered are included in Appendix F.)

There are also 92 local police departments, 9 State Police Troops, 3 University of Maine security or police departments and a Capitol Security force within the state that do not have authorization to securely detain juveniles. Each of these will submit annual certification letters verifying their policies and procedures pertaining to the processing of juveniles being detained for criminal-type violations. At least 10% of these locations will be visited annually on a rotating basis by county so that all facilities will eventually be inspected.

The Compliance Monitor will maintain a close working relationship with personnel at all adult jails and lockups to assist them in developing policies and procedures in keeping with the JJDP Act of 1974. This includes locations not authorized by the State to securely detain juveniles to ensure they are operating within the Federal Act and State Law.

In addition to the obvious secure detention locations, the Compliance Monitor has identified alternative sites where juveniles might be held. These include group homes, attendant care facilities, drug rehabilitation programs, staff secure programs and foster care locations. Working with the Department of Human Services, the licensing authority for many of these facilities, the Compliance Monitor will determine which of these facilities will require monitoring.

The annual inspection for compliance currently consists of 15 county jails, 21 local lockups, 10 non-holding lockups, 1 leased unit at the Cumberland County Jail, 2 juvenile detention facilities, 2 attendant care facilities, 1 residential mental health facility, 1 group home, 1 substance abuse facility, and 1 youth shelter. This list will be updated as new sites are developed or revealed. The schedule for inspections for 2000 is as follows.

January	Stetson Ranch (DHS/DMH)
February	Cumberland County Jail
March	Rumford Group Home, Rumford Police Dept., Univ. of Maine Farmington
April	Kennebec County Jail, St. Michael's Center
May	York County Jail, Bridgton Police Dept., Old Orchard Beach Police Dept.
June	Androscoggin County Jail, Franklin County Jail, Oxford County Jail
July	Penobscot County Jail, Halcyon House, Good-Will Hinckley Home
August	Millinocket Police Dept., Northern Maine Juvenile Detention Facility, Livermore Falls Police Dept., Lisbon Police Dept.
September	Hancock County Jail, Waldo County Jail, Biddeford Police Dept., Maine Youth Center, Piscataquis County Jail, Somerset County Jail
October	Aroostook County Jail, Houlton Police Dept., Caribou Police Dept., Presque Isle Police Dept., Madawaska Police Dept., Fort Kent Police Dept., Van Buren Police Dept.
November	Washington County Jail, Machias Police Dept., Calais Police Dept., Bar Harbor Police Dept., Boothbay Harbor Police Dept., Bath Police Dept., Brunswick Police Dept.
December	Knox County Jail, Lincoln County Jail, Kittery Police Dept., Cape Elizabeth Police Dept., Saco Police Dept., So. Portland Police Dept.

# Appendix A

Maine

Juvenile Justice System

Flowchart

# Appendix B

Maine

Alternative Education

Programs

# Appendix C

SEARCH Survey

Compilation of Results

# Appendix D

Maine

Uniform Crime Reporting

and

Community Corrections Data

# Appendix E

Maine

Juvenile Census Table

and

Population Distribution

# Appendix F

## Compliance Monitoring

And

## Jails and Lockups

## Reporting Forms

# Appendix G

JJDP Act

C o r e

R e q u i r e m e n t s

- **Deinstitutionalization of Status Offenders**

Juveniles charged with offenses that would not be criminal if committed by an adult (such as truancy and running away) should not be placed in secure detention or correctional facilities.

- **Removal of Juveniles from Adult Jails and Lockups**

No juvenile shall be detained or confined in a jail or lockup intended for adult offenders beyond specified time limits: six hours in a Metropolitan Statistical Area (MSA) and 24 hours in other areas.

- **Sight and Sound Separation**

During the temporary period that a juvenile may be securely held in an adult jail and lockup, sight and sound contact is not permitted between the juvenile and adult inmates or trustees.

- **Disproportionate Minority Confinement**

States must reduce the proportion of juveniles who are youth of color who are detained or confined in secure facilities if such proportion exceeds the proportion such group represents in the total population.

# Appendix H

Maine

Department of Corrections

Organizational Structure

# Appendix I

## Commonly Used Acronyms

## Commonly Used Acronyms

DMC	Disproportionate Minority Confinement
DOC	Department Of Corrections
DOJ	Department Of Justice
DSO	Deinstitutionalization of Status Offenders
ILLECP	Innovative Local Law Enforcement Community Policing
JJAG	Juvenile Justice Advisory Group
JJDP	Juvenile Justice and Delinquency Prevention
MYC	Maine Youth Center
NMJF	Northern Maine Juvenile Facility
OC	Office Of The Comptroller
OJJDP	Office Of Juvenile Justice And Delinquency Prevention
OJP	Office of Justice Programs
OSA	Office of Substance Abuse
SAC	Statistical Analysis Center
SAG	State Advisory Group
SMJF	Southern Maine Juvenile Facility
UCR	Uniform Crime Report